

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**VS.**

**OSCAR OCTAVIO RAMIREZ,**

**Defendant.**

**8:10-CR-00226-LSC-TDT**

## ORDER

This matter is before the court on the defendant's unopposed motion to continue trial (#57) due to defense counsel's scheduling conflict. For good cause shown,

**IT IS ORDERED** that the motion to continue trial (#57) is granted, as follows:

1. The jury trial now set for November 2, 2010 is continued to **November 30, 2010**.
2. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **November 2, 2010 and November 30, 2010**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel for the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).
3. Defendant shall file an affidavit or declaration regarding speedy trial, in compliance with NECrimR 12.1(a), no later than October 20, 2010.

**DATED October 6, 2010.**

**BY THE COURT:**

**s/ F.A. Gossett, III**  
**United States Magistrate Judge**